REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1-7, 10-16, 18 and 21-27 are pending in this application. Claim 1 is in independent form. Claim 1 is amended. No new matter has been added.

Interview Summary

Initially, Applicants wish to thank the Examiner for the courtesies extended to Applicants' representative during the telephonic interview of August 1, 2011. The Examiner informed Applicants that the application was likely allowable with amendment, that should be apparent from the Office Action.

Rejections under 35 U.S.C. § 103

Hisai/Hoang

Claims 1, 3-5, 7 and 26 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hisai et al. (US 2003/0192686, hereinafter "Hisai") in view of Hoang (US 2003/0159808, hereinafter "Hoang"). Applicants respectfully traverse this rejection.

In the Amendment dated May 9, 2011, Applicants argued on page pp. 8 and 9, that neither Hisai nor Hoang disclose a bidirectional path. In response, the Examiner alleges that (emphasis in the original):

> While the Examiner agrees that the first and second portions of the liquid vapor line as pointed out by the applicants do not make up a bidirectional path, the claim does not call for a bidirectional path. The liquid/vapor loop of Hoang is shown to allow fluid to flow from reservoir 110 to the evaporator heat pipe. Therefore, the limitation "wherein the coolant is supplied to the heat pipe via a path and the coolant storage tank receives the coolant supplied to the heat pipe via the path used in supplying

> the coolant into heat pipe, the path being between the coolant storage tank and the heat pipe" does not limit the claim to a bidirectional pipe.

Applicants respectfully disagree.

Applicants provide the following marked-up FIG. 1 of Hoang, including added reference characters P1 and P2 and thick arrows parallel to a liquid/vapor line for purposes of discussion.

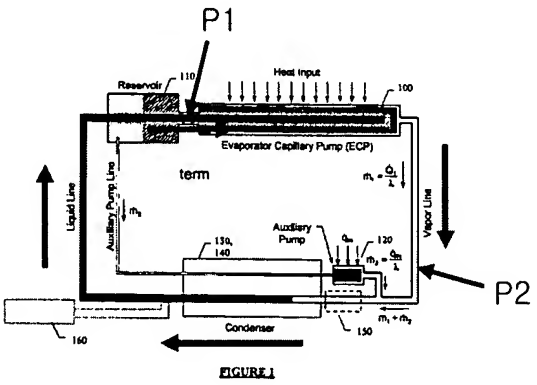

FIGURE 1

Claim 1 recites, *inter alia*, "a coolant storage tank supplying the coolant into the heatpipe ... wherein the coolant is supplied into the heatpipe via a path and the coolant storage tank receives the coolant supplied to the heatpipe via the same path that is used in supplying the coolant into the heatpipe, the path being between the coolant storage tank and the heatpipe."

Referring FIG. 1 of Hoang, in a coolant supply line (liquid/vapor line) disclosed in Hoang, a portion P1 used in supplying a fluid from a reservoir 110 to a heat pipe 100 is different from a portion P2 used in supplying fluid (coolant) from the heat pipe 100 to the reservoir 110. That is, a path to supply fluid from a reservoir 110 to a heat

pipe 100 is different from a path to supply fluid from the heat pipe 100 to the reservoir 110.

In Hoang, the portion P1 and the portion P2 are each different portions in the coolant supply line. Therefore, in Hoang, when a coolant is returned from the heat pipe 100 to the reservoir 110, the portion P1 of the coolant supply line cannot be used. Also, when a fluid is supplied from the reservoir 110 to the heat pipe 100, the portion P2 of the coolant supply line cannot be used. As a result, Hoang cannot disclose that the same path is used in supplying and returning a fluid between the heat pipe 100 and the reservoir 110.

On the other hand, claim 1 describes that a path used in supplying coolant from a coolant storage tank to a heat pipe is the same as that in receiving the coolant from the heat pipe. That is, the same path (or the same portion) is used in supplying and receiving coolant between the coolant storage tank and the heat pipe.

The Examiner interprets a cooling supply line of Hoang to be the path of claim 1, and defines the cooling supply line as "the whole of the vapor/liquid loop as illustrated in figure 1[,]" in order to make the rejection Office Action, p. 3. Initially, Applicants note that claim 1 specifically recites, **"a coolant storage tank supplying the coolant into the heatpipe** ... wherein the coolant is supplied into the heatpipe via a path and the coolant storage tank **receives the coolant supplied to the heatpipe**[.]" Emphasis added. Claim 1 makes clear that **it is the coolant storage tank that supplies** the coolant to the heat pipe and then receives the supplied coolant (past tense) from the heatpipe. Hoang discloses a reservoir (e.g., the alleged coolant storage tank of claim 1) supplying a coolant into an ECP via a path P2 and receiving the coolant supplied to the ECP via a path P2. Therefore, the path P2 cannot be a path via which the coolant is supplied to the heatpipe as required by claim 1, and the

path of claim 1 cannot be the "the whole of the vapor/liquid loop as illustrated in figure 1[.]" In Hoang, the reservoir does not use P2 to supply the coolant to the ECP.

Applicants note that in order for the Examiner to make such an interpretation of Hoang, the Examiner must completely disregard the limitation, "a coolant storage tank supplying the coolant into the heatpipe[.]" The Examiner may not disregard any claimed limitation. MPEP 2143.03 and 2116.01.

Further, Hoang does not disclose a cooling supply line that is the whole of the vapor/liquid loop.

> The totality of the prior art must be considered, *In re Hedges*, 783, F.2d 1038, 228 USPQ 686 (Fed. Cir. 1986); "It is impermissible within the framework of section 103 to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art." *In re Wesslau*, 353 F.2d 383, 241, 147 USPQ 391, 393

Rather, consistently with the understanding of one of ordinary skill in the art, Hoang specifically distinguishes supply and return, using language such as, "**a fluid return path**[,]' "**remove** vapor out of the reservoir[,]" "an **output** port coupled to an auxiliary fluid line[,]" with respect to the various lines. See, for example, Hoang, paragraph [0017]. Although in heat transfer terminology the various references often use the words "liquid line" and "vapor line," it the liquid line is the supply line to the cooling element and the vapor line is the output line from the cooling element.

Applicants also respectfully remind the Examiner that statements and disclosures in a reference cannot be taken out of context and given meanings they would not have had to one skilled in the art having no knowledge of applicant's invention or to anyone else who can read the specification with understanding. (See *In re Wright*, 866 F.2d 422, 426, 9 USPQ2d 1649 (Fed. Cir. 1989). In other words, interpreting the entire vapor/liquid line of Hoang as a supply line is inconsistent with

the disclosure in Hoang and the Examiner gives a meaning to a the fluid line and auxiallary fluid line of Hoang that would not be understood by one reading the specification. One of ordinary skill in the art would not consider the vapor line a part of a cooling **supply** line.

Neither Hoang nor Hisai, alone or in combination disclose, at least, "wherein the coolant is supplied into the heatpipe via a path and the coolant storage tank receives the coolant supplied to the heatpipe via the same path that is used in supplying the coolant into the heatpipe, the path being between the coolant storage tank and the heatpipe." Accordingly, even assuming, *arguendo*, that Hoang could be combined with Hisai (which Appicants do not admit), Hisai in view of Hoang cannot render claim 1 obvious. Claims 2-7, 10-16, 18 and 21-27 are patenable at least by virtue of their dependency from claim 1. Withdrawal of the rejections and allowance of claims 1-7, 10-16, 18 and 21-27 is respectfully requested.

Hisai/Hoang/Hara

Claims 6, 12-16, 18 and 21-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hisai in view of Hoang, and further in view of Hara et al. (US 5,413,167, hereinafter "Hara"). Applicants respectfully traverse this rejection in that even assuming *arguendo* that *Hoang* and/or *Hara* could be combined with *Hisai* (which Applicants do not admit), the combination of references fails to render even claim 1 obvious because *Hoang* and *Hara* suffer from at least the same deficiencies as *Hisai* with respect to claim 1. Therefore, even in combination, *Hisai* in view of *Hoang* and *Hara* fails to render claims 6, 12-16, 18 and 21-24 obvious because claims 6, 12-16, 18 and 21-24 depend from claim 1. Withdrawal of this rejection is requested.

Hisai/Hoang/Leffert

Claims 2, 10, 11, and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Hisai* in view of *Hoang*, and further in view of *Leffert* (US 3,621,906). Applicants respectfully traverse this rejection in that even assuming *arguendo* that *Hoang* and/or *Leffert* could be combined with *Hisai* (which Applicants do not admit), the combination of references fails to render even claim 1 obvious because *Hoang* and *Leffert* suffer from at least the same deficiencies as *Hisai* with respect to claim 1. Therefore, even in combination, *Hisai* in view of *Hoang* and *Leffert* fails to render claims 2, 10, 11, and 25 obvious because claims 2, 10, 11, and 25 depend from claim 1. Withdrawal of this rejection is requested.

Hisai/Hoang/Komino

Claim 27 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Hisai* in view of *Hoang*, and further in view of *Komino* (JP 5,315,293, hereinafter "Komino"). Applicants respectfully traverse this rejection in that even assuming *arguendo* that *Hoang* and/or *Komino* could be combined with *Hisai* (which Applicants do not admit), the combination of references fails to render even claim 1 obvious because *Hoang* and *Komino* suffer from at least the same deficiencies as *Hisai* with respect to claim 1. Therefore, even in combination, *Hisai* in view of *Hoang* and *Komino* fails to render claim 27 obvious because claim 27 depends from claim 1. Withdrawal of this rejection is requested.

CONCLUSION

In view of the above remarks and amendments, Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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